

F0422SN-US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tsutomu Muraoka et al.

Serial No.: 09/255,344

Filed: February 23, 1999

For: BRACKET ASSEMBLY, ESPECIALLY FOR:  
USE AS A MAGNETIC DEVICE IN A  
MONITORING DEVICE (AS AMENDED)

Patent Art Unit: 2862

Examiner: Walter Snow

TERMINAL DISCLAIMER  
APPROVED

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Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

Petitioner, Shimano, a corporation, organized under the laws of Japan and having a place of business at 77 Oimatsu-cho, 3-cho, Sakai, Osaka 590-0824, Japan, represents that it is the owner of all right, title and interest, via an Assignment recorded on April 28, 1999 at Reel 9933, Frame 0202, of the above-identified application Serial No.09/255,344, filed on February 23, 1999 for BRACKET ASSEMBLY, ESPECIALLY FOR USE AS A MAGNETIC DEVICE IN A MONITORING DEVICE (AS AMENDED).

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,188,215, issued on February 13, 2001, for MAGNETIC ASSEMBLY FOR A BICYCLE MONITORING DEVICE, petitioner being the owner of all right, title and interest of U.S. Patent No. 6,188,215 via an Assignment recorded on April 28, 1999 at Reel 9930, Frame 0328, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,188,215, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

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Petitioner has reviewed the recorded Assignments specified above and certifies that, to the best of its knowledge and belief, title to the above-identified application and patent specified above is in Petitioner's name as assignee.

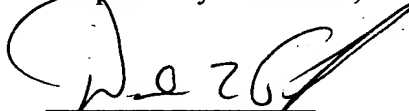
In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the term defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,188,215, as shortened by any terminal disclaimer, in the event that said U.S. Patent No. 6,188,215 later: (1) expires for failure to pay a maintenance fee, (2) is held unenforceable or is found invalid by a court of competent jurisdiction, (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), (4) has all claims cancelled by a reexamination certificate, is reissued, or (5) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. §154 prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

✓ The undersigned is empowered to act on behalf of assignee.

✓ The filing fee under 37 C.F.R. §1.20(d) of \$110.00 for this terminal disclaimer is attached.

✓ The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



David L. Tarnoff

Attorney of Record

Reg. No. 32,383

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Dated: March 28, 2001

c:\Mar\F0422SN-US Terminal Disclaimer

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Deborah Perry-Leeper  
Paralegal Specialist  
Technology Center 2800